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13  
14 IN THE UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA

16  
17 UNITED STATES OF AMERICA,  
18 Plaintiff,  
19 v.  
20 JENIFFER FIGUEROA ARREOLA,  
21 Defendant.

22 CASE NO. 1:20-CR-00162-DAD-BAM  
23 STIPULATION REGARDING EXCLUDABLE  
24 TIME PERIODS UNDER SPEEDY TRIAL ACT;  
25 AND ORDER  
26 DATE: August 24, 2022  
27 TIME: 1:00 p.m.  
28 COURT: Hon. Barbara A. McAuliffe

29  
30 This case is set for status conference on August 24, 2022. The parties wish to vacate the status  
31 conference and set the case for a change of plea before the Hon. Dale A. Drozd, U.S. District Judge at  
32 8:30 a.m. on October 11, 2022. The parties also seek to exclude time between August 24, 2022, and  
33 October 11, 2022.

34  
35 **STIPULATION**

36 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
37 through defendant's counsel of record, hereby stipulate as follows:

38 1. By previous order, this matter was set for status on August 24, 2022.  
39 2. By this stipulation, defendant now moves to vacate the status conference and set the case  
40 for a change of plea on October 11, 2022, at 8:30 a.m. before the Hon. Dale A. Drozd and to exclude  
41 time between August 24, 2022, and October 11, 2022, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local  
42 Code T4].

1       3.    Counsel for defendant desires this additional time to prepare for the change of plea  
2 hearing and to finalize the plea agreement documents.

3       4.    Counsel for defendant believes that failure to grant the above-requested continuance  
4 would deny him the reasonable time necessary for effective preparation, taking into account the exercise  
5 of due diligence.

6       5.    The government does not object to the continuance.

7       6.    An ends-of-justice delay is particularly apt in this case because the defendant is not  
8 detained pending trial.

9       7.    Based on the above-stated findings, the ends of justice served by continuing the case as  
10 requested outweigh the interest of the public and the defendant in a trial within the original date  
11 prescribed by the Speedy Trial Act.

12       8.    For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq.,  
13 within which trial must commence, the time period of August 24, 2022 to October 11, 2022, inclusive, is  
14 deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from  
15 a continuance granted by the Court at defendant's request on the basis of the Court's finding that the  
16 ends of justice served by taking such action outweigh the best interest of the public and the defendant in  
17 a speedy trial.

18       9.    Nothing in this stipulation and order shall preclude a finding that other provisions of the  
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
20 must commence.

21       IT IS SO STIPULATED.

22       Dated: August 15, 2022

PHILLIP A. TALBERT  
United States Attorney

25       \_\_\_\_\_  
26       /s/ JUSTIN J. GILIO  
27       JUSTIN J. GILIO  
28       Assistant United States Attorney

1 Dated: August 15, 2022

/s/ Melissa Baloian  
2 Melissa Baloian  
3 Counsel for Defendant  
4 Jeniffer Figueroa Arreola

5 **ORDER**

6 IT IS SO ORDERED that the status conference set for August 24, 2022, is vacated. A change of  
7 plea hearing is set for **October 11, 2022, at 9:00 a.m. before District Judge Dale A. Drozd.** Time is  
8 excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

9 IT IS SO ORDERED.

10 Dated: August 16, 2022

/s/ *Barbara A. McAuliffe*

11 UNITED STATES MAGISTRATE JUDGE